

STEAMER TABLE.	
From San Francisco—	
Sonoma.....	July 9
China.....	July 15
For San Francisco—	
Nippon Maru.....	July 8
Peru.....	July 15
For Victoria—	
Miowera.....	July 30
From Victoria—	
Moana.....	Aug.

Never Sit on the Fence and Wait for Business to Come

EVENING BULLETIN

Invite It With Attractive Advertising

NOT AN EXPERIMENT

Newspaper advertising is not an experiment in any sense of the word. It is a common sense business transaction. Returns the first week or the first month are not always encouraging, but it is the sticking at it that brings success.—Hancock (N. Y.) Herald.

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HONOLULU, TERRITORY OF HAWAII, MONDAY, JULY 7, 1902

PRICE 5 CENTS.



ROBERT S. MCCORMICK, EMBASSADOR TO AUSTRIA.

Robert S. McCormick, our representative to Austria, whose post has been raised from that of minister to ambassador, is a Chicago man. He possesses a considerable fortune, is a scholar of some distinction and owns one of the finest private libraries in the United States.

HITCHES OCCUR IN COURT TERM

Jury Panel Falls Short and Appeal Bond Goes Astray.

THE DOCUMENT FOUND AFTER BRIEF SEARCH

Motion to Hasten the Promotion of Fishery Right Test Cases to Determination by Supreme Court.

Affidavits have been made by H. A. Juen and Matsuo pending re-sentence in the case of Territory of Hawaii vs. H. A. Juen and J. H. Schnack. That of the former is to show that he had been in peaceable possession of the land before conveying it to Schnack by warranty deed, otherwise he would never have dreamed of using force to dispossess the old woman Kamakee, the complaining witness in the case. Kamakee had contended that a deed given by her husband to Juen's grantors was a forgery, although she and her folks voluntarily left the place after having been allowed their own time to make arrangements for moving at the request of the grantors, Kahanau and Puanini, the former of whom had dealt with the land as his own upon the public records since 1889. After Kamakee and her folks had left, Japanese tenants were paying rent to Juen, but natives frightened them away by stoning the house at night. Matsuo, the other affiant, was collector of rent for Juen and continued as such for Schnack until the natives scared the tenants away.

It will be remembered that defendants Juen and Schnack were sentenced to be imprisoned without hard labor for twenty days, while their co-defendant, Savidge, was fined \$100, for using force in ejecting the old woman and that the Supreme Court remitted the case of Juen and Schnack for sentence on the finding that the law does not admit of imprisonment "without hard labor" for assault and battery.

Judge Robinson has granted an extension of time for ten days to W. A. Whiting, commissioner, to partition lands in the case of Harriet Baily et al. vs. Elizabeth M. Cushingham et al. for the purpose of having J. F. Brown, surveyor, prepare a map of diagram of the land at Waikiki.

On the application of C. W. Ashford for libellant, the deposition of George Courtney will be taken before the clerk of court tomorrow afternoon in the divorce case of Virginia Pengeley vs. William Pengeley.

Following is the original trial jury roll for the special July term of the First Circuit Court. John R. Galt, Jas. McKee, John S. Wise, Charles Schoellkopf, Lawrence H. Dee, Frank R. Foster, Edward D. Tenney, Joseph C. Cohen, Samuel E. Damon, Horace N. Crabbe, Benjamin W. Houghall, Thomas R. Mossman, Lot K. C. Lane, Thomas W. Hobron, Eli J. Crawford, Edward B. Mikalemi, John A. Hughes, Starr Kapu.

Through excuses and an absence the roll was reduced to a bare panel of twelve jurors after Judge Humphreys opened the term this morning. Wise and Cohen were excused for one week and Damon, Galt and Hobron for the term, while an attachment was issued to bring in Kapu.

Several cases had been previously set for today. When the calendar had been called, A. G. M. Robertson for the Territory made a motion to set a day for the trial of S. M. Damon's suit to establish fishery rights under the Organic Act, also a motion of similar intent regarding the Bishop Estate's suit of the same category. The attorney explained that it was desired to make these test cases for promotion to the Supreme Court, as they represented two classes of fishery right cases. There were a great many of these cases filed in different circuits, and it was important to the Government, therefore to the public at large, that they should have speedy determination.

Judge Humphreys on being informed that opposite counsel concurred in the request, also that jury had not been waived, took the motion under consideration.

An odd hitch occurred with the case of Agnes McIntyre vs. E. M. Nakuna. After several jurors to try it had been called into the box. Prior to this, Judge Humphreys raised the question of his qualification to preside, as it had just come to his mind that the case had been handled by his own law firm before he came to the bench. However, he stated later, Mr. Andrews had done all the work and he knew nothing of the case. In answer to Mr. Magoon, the court stated that it was not a constitutional disqualification, whereupon both Mr. Magoon and Mr. Andrews waived objection for both parties.

Mr. Andrews, while the jury was being called, mentioned that the appeal bond could not be found, but he was willing to file an affidavit that he had filed a bond in \$100.

Mr. Magoon stated that he could not waive the bond. He therefore moved to dismiss the appeal for lack of bond. Mr. Andrews protested against the motion, saying he was certain there was a bond. His Honor knew that the manner in which the records were kept made it liable for any person to remove a bond.

Judge Humphreys observed that the case had been set for four or five days ago, besides having been up for two years. He would have to dismiss the appeal, but if the bond were filed or proof of its existence produced, the case would be reinstated. A stay of execution for ten days would also be granted.

Peterson vs. Pacheco was then called only to encounter a hitch of its own. Arthur Wilder was engaged in another court and when called in asked for time to have the other hearing continued.

T. McCants Stewart was called from the midst of argument on the Palolo water controversy before Commissioner Nakuna. It was now 10:30 and Judge Humphreys gave a recess until 11 o'clock for the attorneys to wind up their business elsewhere.

In the meantime a search was proceeding in the clerk's office for the McIntyre vs. Nakuna bond. Luck would have it that Mr. Magoon, who had taken advantage of its default, was the man to find the document.

After recess it was found the panel would not afford a jury to try Pacheco vs. Peterson, and it was continued until 2 o'clock, a venire for additional jurors being issued in the meantime.

Whitelaw Reid's coronation suit will cost \$2000.

CROWDS TEST THE HOMES OF FRIENDS

Big Assembly at Lahaina Attends Convention This Week.

REV. DESHA OF HILO PREACHED ON SUNDAY

School Exercises Open Today and Continue Through the Week --- All Comfortable and Happy.

Waikuku, June 6.—The Sunday school convention will take place at Wainee church, Lahaina, beginning next Monday, July 7th, and lasting until Thursday, the 10th.

Lahaina is crowded with people now from all over the group, almost every district in the Territory being represented. Nearly three thousand Sunday school people of all ages are here, but notwithstanding such a large gathering, they are all well provided and housed. A large lanai made of coconut leaves is built on the lot on the Olowalu side of the court house, and within are housed Sunday schools from Keanee, Waihee and Molokai. The other Sunday schools are being taken care of by the hospitality of friends. Notwithstanding the crowded condition of the visitors, they all look happy and contented, as they came with the expectation of "roughing it," as they say, so long as there are roofs to cover them at night.

Today Wainee church, Lahaina, was crowded to its utmost capacity, many of the church people being unable to gain admission. The services were opened with a hymn sweetly sung by Miss Helen Desha of Honolulu, who charmed the large gathering with her fine singing. The sermon was preached by Rev. S. L. Desha of Hilo, who preached an able and eloquent sermon in his usual fashion. His words of advice were listened to most attentively by those present. There was perfect silence within the church all the while Mr. Desha delivered his sermon, showing the great appreciation of the audience in every word the great pulpit orator said.

The Sunday school exercises will commence on Monday morning at 9 o'clock and in the evening a grand concert will be given in the church when the best talent from all over the islands will appear. Some new compositions will be heard for the first time. Almost everybody is wearing ribbons of all sizes and colors representing the different Sunday schools.

THIEVES ABROAD

Thieves are abroad again. On Sunday night between 11:30 and 1:30 a. m., the home of Isaac Cockett in Kalihi was entered and two valuable watches together with other valuable, were stolen. The thief gained entrance by means of a window at the rear of the house. There is certain evidence that the person who got into the house was barefooted, for on the table near the window through which the thief entered was a newspaper and upon this was a very clear imprint of a bare foot.

The home of Foreman Fish of the Mutual Telephone Co., near that of Mr. Cockett, was also entered between the hours already mentioned and several valuable articles were stolen.

KAHULUI FLAG POLE

Waikuku, June 6.—Some months ago the fishermen of Hon. A. N. Kepoikai picked up a pine tree with bark and branches very much battered by the action of the waves, on the Kahului beach. The entire length of the tree was covered with barnacles and worm-eaten in places. Workmen turned the castaway tree into a flagpole, and next week a pole ninety feet in length will rise up in front of his Kahului fishery and from its lofty height will fly the flag of the Kahului fishery. The flag pole, when placed in position will be the tallest on Maui.

GOOD MAUI RACES.

Waikuku, June 6.—The Fourth of July races at Kahului passed off very pleasantly. Both the grounds and grand stand were filled with spectators. Over \$500 was taken in by the Maui Racing Association. The track was in excellent condition. The day, too, was fine, just a light northeast breeze blowing all day. Many were the hopes expressed that the 12th of August would be as pleasant.

A cinematograph for the blind has been invented by Dr. Dusand, a French physician. The successive stages of the picture are embossed on sheets of tin and made to revolve rapidly between the fingers of the blind person.

MORNING STARS WON WELLS PARK CROWDED AT BIG SUNDAY GAMES

Waikapu Handicapped By Loss of Cornwell—Judge Kepoikai Entertained the Victors to Toothsome Luau.

Waikuku, July 6.—The game between the Morning Stars and Waikapu at Wells' park on Sunday, June 30, was one of the best league games played so far. The grand stand was packed with spectators, sympathizers of the respective teams. The grounds were crowded with spectators in private rigs and on horseback. As each fine play was made the merry voices of children and the sweet tones of the fair ones could be heard within a radius of over a thousand feet.

Gorman, Honolulu's favorite baseballist, played for the Waikapu at second base. Being in a position to which he was not accustomed he did not show up at his best. After a hard fought battle, of over an hour the intangible Morning Stars added another laurel to their long list of victories on the diamond. The score stood 45 to 4 in favor of the Stars, and by their excellent team work they showed the public that they can hold their own with teams beyond Waikuku limits. At different stages of the game when the Stars kept on adding run after run, the spectators went wild with enthusiasm.

The Waikapu were handicapped in missing W. H. Cornwell Jr., one of their best players, who is still disabled as a result of the great game played with the Hiloos on June 11. However, the team the Waikapu put up on that day was a strong one.

On the evening of July 4th after the Kahului races, Hon. and Mrs. A. N. Kepoikai entertained the Morning Stars and a select few adherents to a luau at the Kahului fishery. Two long tables laden with eatables of the most approved Hawaiian pattern were laid in the large net house. Toasts were drunk to the health of the host and hostess and of course the victors were not forgotten. After the luau the grounds were made brilliant by a grand display of fireworks. The Henry Villard safely riding at anchor at Kahului bay likewise sent up its rockets to vie with those on shore and altogether the memory of that night will linger long in the minds of those who were fortunate enough to be present. The merry band dispersed soon after 10 o'clock and soon after Kahului presented its usual mien.

INJUNCTION DISSOLVED

GOVERNOR DOLE ANSWERS HENRY SMITH'S COMPLAINT

Says Compromise Is Still Open to Smith—Order to Delinquent Guardian—Holt Must Answer Austin.

Judge Humphreys granted the motion to dissolve injunction in the case of Koolau Kaibainahale vs. Samuel C. Allen. The injunction was to prevent the foreclosure of a mortgage made by plaintiff's husband on May 1, 1895, to secure a promissory note for \$2500 on which the defendant now claims about \$4000 is due. Her husband died intestate and on July 7, 1897, she was appointed administratrix of his estate. As such she published the usual notice to creditors in the native paper Kuokoa, but the defendant never has filed a claim. In her petition for injunction she left it to the court to decide whether defendant could now enforce his claim.

Annie Kentwell, guardian of Eliza Rose Poomakal Holt, minor, is ordered to file an inventory within ten days. The demurrer of R. W. Holt to the complaint of William Lono Austin, a claiming devisee, is overruled and defendant allowed ten days to answer.

Sanford B. Dole, as Governor of the Territory of Hawaii, by J. W. Cathcart, Deputy Attorney General, has filed an amended answer to the complaint of Henry Smith against Mary A. R. Rose, widow, and himself. After making certain admissions and denials, the answer relates an offer in compromise made to complainant by James H. Boyd, Superintendent of Public Works, in September of last year, which has never been rejected or accepted by complainant nor been withdrawn by the Territory of Hawaii. The suit is about land taken for the widening of Fort street.

After being laid up for some time to receive a thorough overhauling, the steamer Waialeale, of the Inter-Island Steam Navigation Company, is again in commission. She sails for Ahukini and Hanamaulu at 5 o'clock this afternoon. Captain Pitts is her master.

Wells, Fargo & Co. Express
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Masonic Temple, with American Messenger Service.

EARTHQUAKE SHOCK IN TASMANIAN TOWN

Ventura Makes Good Run From Sydney On New Schedule.

NO PLAGUE FOR TEN SUCCESSIVE DAYS

Many Passengers Going Through to San Francisco From the Colonies Stormy and Cold Down South.

The Oceanic steamship Ventura, Captain Hayward, arrived in port this morning from Sydney, Auckland and Pago Pago, docking at the Oceanic wharf at 10 o'clock. She sailed from Sydney on June 23, at 2 p. m., Auckland on the 27th at 3:14 p. m., and Pago Pago on the 1st instant at 2:32 a. m. She sailed from Sydney a day ahead of the old schedule. This will be the practice now, the schedule having been altered to enable the steamships of this line to make San Francisco one day sooner than heretofore.

Corrected time, according to Purser Bucknam's report, gives the Ventura 14 days, 15 hours and 46 minutes from Sydney, 10 days, 16 hours and 11 minutes from Auckland, and 6 days, 5 hours and 23 minutes from Pago Pago. Steaming time gives her 14 days, 4 hours and 9 minutes from Sydney and 10 days, 11 hours and 49 minutes from Auckland.

Five tons of miscellaneous cargo were brought for Honolulu. Five passengers arrived for this port. Seventy-three passengers from the Colonies will go through to San Francisco. Purser Bucknam reports fine weather throughout the voyage. Mrs. Badger, child and maid are from Auckland and are traveling for pleasure.

H. A. Barracough is one of a prominent firm of Sydney and London wool brokers.

A. M. Cox is going through to London on business.

Mrs. v. E. McArthur is the wife of a well-known silk dealer, doing business in Japan and London.

J. H. Wright is an Auckland importer of flour.

Mr. and Mrs. G. B. Alexander and Philip Mack are members of the theatrical profession and have been playing at the Tivoli, Sydney, with Harry Rickards.

P. Steinfeld belongs to a leather corporation of Melbourne and Sydney.

The Rev. Dr. and Mrs. J. F. Campbell are from Auckland, where the doctor was pastor of a Presbyterian church.

A Becco is a musician bound for London and Paris and Miss Vera Clark is an artist going to Montreal.

On the day preceding the departure of the Ventura from Sydney it was reported that a rather severe earthquake shock was felt in Launceston, Tasmania, on Sunday, June 22d. The tremor was felt at 5 o'clock in the morning and lasted for over thirty seconds. The shaking of the houses in the Tasmanian town greatly alarmed the inmates and there was something of a panic for a few minutes. No damage resulted, however, the shock was preceded by an intense calm.

No fresh developments are reported in the plague situation in Sydney. When the Ventura left there had been ten successive days without a case of the disease.

A heavy storm, connected in the minds of many with the earthquake shock at Launceston, had been over Tasmania for five days, extending over the Tasman Sea. Bitterly cold weather was experienced in Sydney the day before the Ventura left.

Passengers for Honolulu in the Ventura were Mrs. M. B. Braden, Mr. and Mrs. B. Wylie, C. N. Thomas and F. Wilton. The Wylies are Honolulu people.

Passengers going through to the Coast, from the Colonies, are as follows: Mr. and Mrs. G. B. Alexander, Mrs. Badger, child and maid and Master Badger; H. A. Barracough, Sir Rupert Clarke, A. M. Cox and servant, Dr. and Mrs. Campbell, Mr. and Mrs. Frederick J. Drew, Miss Marcia Drew, A. Fail, Mrs. R. H. Howard, L. Harrison, Mrs. Hasselman, J. H. Ison, Phil Mack, Mrs. G. W. McArthur and child, Miss Oylesbury, C. B. Newton, Miss L. O'Neill, Miss Peterson, M. A. Rapken, Paul Steinfeld, J. Stevens, Mr. and Mrs. J. Sharpe, Mrs. H. Schout, Miss Schout, Mr. and Mrs. A. W. Salmon, Mrs. Robert Smith, Major Thomkinson, Joseph Varesi, J. H. Wright, C. Wilks, C. N. Thomas, J. Barnes, E. Booth, O. Becker and a number in the steerage.

The Ventura sails for San Francisco tomorrow morning. The hour of her departure, together with a list of those boarding the vessel at this port, appear elsewhere.



LABOR COMMISSIONER CARROLL D. WRIGHT, INVESTIGATOR OF THE COAL STRIKE.

When President Roosevelt concluded that it was about time he understood all the inside facts connected with the coal strike, he called upon Carroll D. Wright, United States commissioner of labor, to furnish those facts. Hence Commissioner Wright has recently been very busy.

AZBILL WINS APPEAL COLONEL HAWES BADLY INJURED

NEW TRIAL ORDERED OF QUEEN HOTEL SUIT
Supreme Court Finds that Azbill Was Ready to Perform His Part of the Contract With Levy.

Justice Perry is author of a decision of the Supreme Court in the case of H. M. Levy vs. W. K. Azbill. It was an action by Levy to recover \$250 paid Azbill to bind an agreement for an assignment of the lease of Queen hotel by the latter to the former. Judgment was rendered for the plaintiff in the District Court and again in the Circuit Court on appeal. The defendant expected and his exceptions are sustained and a new trial is ordered by the Supreme Court. The law of the case found is this:

"Where money has been voluntarily paid on a contract, it cannot be recovered back without proof that the one to whom it was paid has failed to perform his part of the contract."

The appellate court holds in effect that Mr. Azbill was ready at all times to perform his part of the contract. G. A. Davis for plaintiff; Magoon & Peters and J. Lightfoot for defendant.

ARTILLERY PRACTICE.

The N. G. H. field battery made good target practice at the Kakaako beach on the Fourth of July. Scows bearing the targets were anchored at a range of 1400 yards. The Driggs-Schroeder 12-pounders and Hotchkiss 2-pounders were used. Besides riddling the targets, the gunners punctured one of the scows so that it sank. They proved they could have made it interesting for an enemy's landing party.

Sunday Bulletin, \$1.25 per year.

Run Into By Hack and Rendered Unconscious For a Time.

THREE RIBS ON RIGHT SIDE WERE FRACTURED
Taken to Hatch Home in Makiki -- Hackman Blackburn Now Held for Investigation.

Statement of Dr. Herbert at 1:30 p. m.—Col. Hawes' condition is all right. He has three ribs fractured on the right side, just over the liver. We trust there are no internal injuries. He was rendered unconscious for a little by the collision and fall and does not remember just how the accident came about."

Col. Hawes, father of Mrs. F. M. Hatch and A. G. Hawes, secretary to the Governor, was very badly injured at about 11 o'clock this morning while crossing from the mauka side of Merchant street to the Stangenwald building.

Col. Hawes was standing on the sidewalk just Waikiki of the Pacific Hardware Co.'s building and had bowed to a couple of acquaintances on the opposite side of the street when he started to walk across with a large bundle in his hands.

He had arrived almost at the center of the street when the horse of hack 129, belonging to the 113 stand struck

(Continued on Page 8.)



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